

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

KYLE ALLEN BOLTON,

Plaintiff,

v.

INDIANA STATE OF, et al.,

Defendants.

CASE NO. 1:22-CV-228-HAB-SJF

OPINION AND ORDER

On October 20, 2025, Plaintiff Kyle Allen Bolton and Defendants Stratosphere Quality, LLC (“Stratosphere”) and Hoosier Personnel Staffing (“Hoosier”), filed a stipulation of dismissal seeking dismissal with prejudice of “all of Bolton’s claims against Stratosphere and Hoosier,” pursuant to a settlement agreement. (ECF No. 281).

Federal Rule 41(a)(1)(A)(ii) permits a plaintiff to “dismiss an action without a court order by filing ... a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a). The Seventh Circuit has explained that Rule 41(a) “does not speak of dismissing one claim in a suit; it speaks of dismissing ‘an action’—which is to say, the whole case.” *Taylor v. Brown*, 787 F.3d 851, 857 (7th Cir. 2015) (quoting *Berthold Types Ltd. v. Adobe Sys. Inc.*, 242 F.3d 772, 777 (7th Cir. 2001)). As such, a Rule 41(a) stipulation that does not dispose of the entire case is improper. *See id.* at 858 n.9. (“The parties indicated that it’s common practice in some district courts in this circuit to allow the voluntary dismissal of individual claims under Rule 41(a). If that is true, we remind judges to use Rule 15(a) instead.”).

The Stipulation filed in this matter is deficient, as it makes clear that the dismissal would not dispose of the entire case. In fact, the Stipulation states that “Bolton’s claims against

[Defendant] General Motors are not affected by this stipulation.” According to the Seventh Circuit, Rule 41(a) is not the proper vehicle for dropping individual parties or claims. In most cases, this Court would require the filing of an amended complaint in order to comply with the Seventh Circuit’s mandate. But here, given the Plaintiff’s status as a pro se prisoner, the Court will deem the stipulation to be a request to amend the complaint and case caption to remove Stratosphere and Hoosier as Defendants. The court GRANTS those requests and DISMISSES all claims against Stratosphere and Hoosier. The Clerk is directed to amend the caption to reflect that the action remains pending solely as to General Motors.

CONCLUSION

For the reasons stated above, the Stipulation to Dismiss which the Court deems to be a request to amend the complaint and the case caption (ECF No. 281), is granted and the Clerk is directed to amend the caption to reflect General Motors as the sole remaining defendant. The claims against Stratosphere and Hoosier are DISMISSED.

SO ORDERED on October 29, 2025.

s/ Holly A. Brady

CHIEF JUDGE HOLLY A. BRADY
UNITED STATES DISTRICT COURT